

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CR 96-411 BB

SAMUEL J. SINGLETON, et al.,

Defendants.

**ORDER ON DEFENDANTS' MOTIONS**  
**FOR BILL OF PARTICULARS**  
**IDENTIFYING MEMBERS OF CONSPIRACY**

THIS MATTER is before the Court on Defendants *Motions for Bill of Particulars* [#682, #683, #685, #687] requesting inter alia identification of the unindicted coconspirators, and the Court having heard oral arguments on October 9, 1997, and reviewed the supplemental briefs of counsel regarding *United States v. Pennick*, 500 F.2d 184 (10<sup>th</sup> Cir.), *cert. denied*, 419 U.S. 1051 (1974), the Court directs the United States Attorney's Office to disclose the names of all unindicted coconspirators who will not testify thirty (30) days prior to the start of trial and the identity of unindicted coconspirators who are scheduled to testify three (3) days prior to the start of trial. In the event the United States Attorney has legitimate concerns that this requirement will place a particular unindicted coconspirator in jeopardy, he may petition the Court for an order exempting such witness or making such other provisions as justice requires.

**IT IS SO ORDERED** at Albuquerque this 7<sup>th</sup> day of November, 1996.

  
BRUCE D. BLACK

United States District Judge